

2020 Candidate Nomination Packet



Office of the City Clerk
City of Eureka
531 "K" Street, Room 208
Eureka, CA 95501

(707) 441-4175
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Office hours: 8:00 A.M. to 5:00 P.M. – Closed noon to 1:00 P.M.



CITY OF EUREKA
PAMELA POWELL, CITY CLERK
531 K Street • Eureka, California 95501-1146
Ph (707) 441-4175
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Dear Potential Candidate:

Thank you for your interest in the City of Eureka election process. We hope this will be a positive and regarding experience for you and your campaign committee. This informational guide will provide you with an overview of the local nomination process, nomination papers, official forms, and campaign deadlines that you will encounter during your campaign. Please take the time to review the information in the guide as it may answer many questions you have regarding the election process.

ELECTION CONTACT

The office of the City Clerk can assist you in understanding the general rules contained in this guide and the nomination filing process. To expedite your candidacy filing, you are encouraged to make an appointment to receive your nomination documents and filing instructions. The office of the City Clerk is open from 8 AM to 5 PM, Monday through Friday and closed during the noon hour. The nomination period begins Monday, July 13, 2020 and closes on Friday, August 7, 2020 at 5 PM.

RESOURCES

Local, federal and state laws and regulation governing candidate filings and financial reporting can be accessed at the following links:

State and Local Elections Code

Fair Political Practices Commission

Eureka Municipal Code

FILING REMINDERS

- Make an appointment
- Review the Guide
- Complete required forms ahead of time
- File early

Please contact my office at 707.441.4175 with any questions or to schedule an appointment to receive/review your nomination documents.

Sincerely,

Pamela J. Powell
City Clerk

City of Eureka
CANDIDATE INFORMATIONAL PACKET
GENERAL MUNICIPAL ELECTION
November 3, 2020

This packet contains the following material pertaining to the November 3, 2020 General Municipal Election:

1. Candidate Forms:
 - [Nomination Paper](#)
 - [Candidate's Statement and Information Sheet](#)
 - [Ballot Designation Worksheet](#)
2. FPPC Publications, Forms and Instructions
 - [FPPC Filing Schedule for Candidates and Controlled Committees](#)
 - [Campaign Disclosure Information Manual 2- Information for Local Candidates](#)
 - [Form 700 Statement of Economic Interests](#)
 - [Form 501 Candidate Intention Statement](#)
 - [Form 410 Statement of Organization Recipient Committee](#)
 - [Form 460 Recipient Committee Campaign Statement](#)
 - [Form 470 Officeholder and Candidate Campaign Statement, Short Form](#)
 - [Form 496 Independent Expenditure Report](#)
 - [Form 497 Late Contribution Report](#)
3. [Code of Fair Campaign Practices with copy of California Elections Code § 20400 through § 20444.](#)
4. [Eureka Municipal Code § 37.52 Limitations on Contributions by Persons to Candidates and §37.53 Limitations on Contributions by Persons to Independent Committees that Support or Oppose Candidates.](#)
5. ["Frequently Asked Questions"](#)
6. [Mass Mailing Requirements \(California Govt. Code § 84305\)](#)
[Political Advertising requirements of the Eureka Municipal Code](#)
[Federal Tax Filing information](#)
7. [Charter of the City of Eureka](#)
8. [Council Ward Map](#)

City of Eureka
NOTICE OF ELECTION

NOTICE IS HEREBY GIVEN that a General Municipal Election will be held in the City of Eureka, on TUESDAY, the 3rd day of NOVEMBER, 2020, for the following officers:

Council Member, Second Ward Full term of four years
Council Member, Fourth Ward Full term of four years

Filing dates for *Nomination Papers* are July 13, 2020 through August 7, 2020, at 5:00 P.M. *Nomination Papers* will be available at the City Clerk's Office, Room 208, City Hall, 531 'K' Street, Eureka, beginning July 13, 2020 at 8:00 A.M., and must be filed with the City Clerk no later than the August 7th deadline.

The polls will be open between the hours of 7:00 A.M. and 8:00 P.M. on November 3, 2020.

Pamela J. Powell
CITY CLERK

DATED: June 29, 2020

EUREKA CHARTER § 301. QUALIFICATIONS OF COUNCIL MEMBERS.

No person shall be eligible for the office of Council Member unless such person is at the time of assuming such office an elector of the City and was a registered voter and a resident of the City and of the ward from which such person is seeking election at the time nomination papers are issued to such person as provided for in Section 10227 of the Elections Code of the State of California as the same now exists or may hereafter be amended or superseded.

NOMINATION PAPERS INSTRUCTIONS

Nomination Papers must be filed with the City Clerk no later than 5:00 P.M. Friday, August 7, 2020. If an eligible incumbent does not file *Nomination Papers* by the filing deadline, the nomination period for that office shall be extended for a period of five days, to 5:00 P.M. August 12, 2020, during which time any eligible person other than the incumbent may take out, circulate and file *Nomination Papers* for that office.

The following forms are required to be filed at the same time with the City Clerk, no later than the filing deadline:

A. NOMINATION PAPERS: (Required)

1. Must be signed by no less than twenty (20) and no more than thirty (30) registered voters of the City of Eureka.
2. Registered voters must sign their name and indicate residential street address as registered. A post office box is not an acceptable address for verification purposes.
3. The *Declaration of Circulator* must be completed and signed if someone other than the nominee circulated the papers for signatures. Only one circulator may circulate a Nomination Paper.
4. The *Affidavit of Nominee and Oath or Affirmation of Allegiance* will be administered at the time of filing and must be signed by the nominee in the presence of the City Clerk, the Deputy City Clerk or a Notary Public.
5. Use the *Ballot Designation Worksheet* to assist you in determining an appropriate ballot designation to report on both the *Nomination Papers* and the *Candidate's Statement* (if used). This form must be filed at the time *Nomination Papers* are filed.

B. CANDIDATE'S STATEMENT FORM and BALLOT DESIGNATION WORKSHEET: (Forms required – publication of Candidate's Statement is optional)

1. No more than 400 words. Must be typed or produced electronically. May not be handwritten. A copy must be attached to the *Candidate's Statement* form at the time of filing, with a check for \$480.00. If possible, please provide an electronic copy of the text exactly as you intend it to be published on disk or by email to: cityclerk@ci.eureka.ca.gov.
2. Both forms must be signed and returned, even if you choose not to publish a statement.
3. See enclosed [Candidate's Statement](#) instructions for more details.

C. FPPC FORM 700 - STATEMENT OF ECONOMIC INTERESTS: (Required)

1. Candidates for public office are required to complete the cover page and any schedules checked on the Schedule Summary, and file with the City Clerk at the time *Nomination Papers* are filed. The City Clerk will forward the original to the Fair Political Practices Commission (FPPC) in Sacramento within five (5) days of receipt. The City Clerk will retain a copy, which will be available for public review on request.

OTHER FPPC CAMPAIGN DISCLOSURE FORMS: (See Section 3)

The following forms should be filed with the City Clerk according to filing requirements (see the [Campaign Disclosure Information Manual 2](#) for specific information):

1. [**FPPC Form 501 Candidate Intention Statement**](#): Must be filed with the City Clerk prior to soliciting or receiving any campaign contributions.
2. [**FPPC Form 410 Statement of Organization Recipient Committee**](#): A “recipient committee” is any individual, group of individuals, organization, or any other entity, that receives contributions totaling \$1,000 or more during a calendar year. The original *Form 410* must be filed with the Secretary of State, and a copy filed with the City Clerk within ten (10) days of receiving a total of \$1,000 or more in campaign contributions. [Refer to Campaign Disclosure Information Manual 2- Information for Local Candidates](#) for detailed instructions.

The Political Reform Act requires candidates, officeholders, and their controlled committees to file campaign statements at specific intervals that disclose contributions received, including monetary and non-monetary contributions, loans received, and enforceable promises received, expenditures made (including loans made), unpaid bills, and any miscellaneous increases to cash, such as bank interest.

A candidate must file either the *Form 460* or the *Form 470*. See the [2020 Filing Schedule](#) for filing deadlines for pre-election and semi-annual statements.

3. [**Form 460 Recipient Committee Campaign Statement**](#): must be filed by a candidate or officeholder who has a controlled committee, or who has raised or spent or will raise or spend \$1,000 or more during a calendar year in connection with election to office or holding office. See [2020 Filing Schedule](#) for information on filing dates for pre-election and semi-annual statements. File the original and 1 copy with the City Clerk.
4. [**Candidate Form 470 Officeholder and Candidate Campaign Statement, Short Form**](#) must be filed by a candidate or officeholder who does not have a controlled committee, and does not anticipate receiving contributions totaling \$1,000 or more during the Calendar year and does not anticipate spending \$1,000 or more during the calendar year. If applicable, file *Form 470* with the City Clerk according to the [2020 Filing Schedule](#). Refer to *Campaign Disclosure Information Manual 2- Information for Local Candidates* for detailed instructions.
5. [**Form 496 Late Expenditures or 497 Late Contribution Reports**](#): must be filed within 24 hours if, during the last 16 days before the election, a committee controlled by the candidate or a primarily formed committee receives a contribution of \$1,000 or more, or makes an expenditure totaling \$1,000.
6. Other FPPC forms may be required depending upon your circumstances, but are not included with this packet. Should you require any additional forms, please contact the City Clerk’s office, 441-4175, or go to the FPPC website at <http://www.fppc.ca.gov/> .

CANDIDATE'S STATEMENT INSTRUCTIONS

The *Candidate's Statement* will be published, at the candidate's option, in the voter information pamphlet received by all registered voters in the jurisdiction.

1. This statement must be submitted at the same time the *Nomination Papers* and *FPPC Form 700* are filed. It must be signed and filed, whether or not the candidate submits text to be published in the voter information pamphlet. The publication fee will be charged only if the candidate chooses to have this statement published.
2. The statement may include the candidate's name, age, occupation, and a brief description of no more than 400 words of the candidate's education and qualifications. Refer to Word Count Standards on the back of the form. It shall not include party affiliation, nor membership or activity in partisan political organizations.
3. Pursuant to City Council [Resolution. No. 2002-43](#) and [California Elections Code §13307](#) the cost of printing the *Candidate's Statement* in the voter information pamphlet is to be borne by the candidate on a pro rata shared basis, and each candidate will be required to pay an estimated cost for printing the *Candidate's Statement* at the time of submission and filing of *Nomination Papers*. The estimated cost is \$480.00. Make check payable to the City of Eureka and submit at the time the *Candidate's Statement* is filed.

The estimate is an approximation of the actual cost, and may vary from one election to another. Actual costs will be determined by the County Elections Division at the time the Sample Ballot is printed, and the pro rata cost to each candidate may be substantially more or less than the estimated, depending on the actual cost of printing. The City of Eureka is not bound by the estimate and may, on a pro rata basis, bill the candidate for additional actual expense, or refund any excess paid, depending on the final actual cost.

4. The *Candidate's Statement* shall remain confidential until the expiration of the filing deadline. (California Elections Code § 13311).
5. The [Ballot Designation Worksheet](#) is now required to be filed at the same time the other nomination materials are filed, effective January 1, 2008 (California Elections Code § 13107.3)

FPPC
Technical
Assistance
Hotline

(866) ASK-FPPC
or
(866) 275-3772

www.fppc.ca.gov

Candidates:
Things to remember...

1. Study.

[Campaign Disclosure Manual 2](#) included in your Candidate's Binder.

2. Mark your calendar.

[Due dates](#) for filing Forms 501, 410, 460/470. You must continue to file until you file termination documents.

3. Get an Identification number.

File Form 410 with the Secretary of State and Eureka City Clerk.

4. Keep good records.

Complete details. Example: For a contribution of \$25 or more, record the giver's name, address and keep a copy of the check.

5. \$100 or more in cash?

Never accept or spend \$100 or more in cash.

6. Don't spend personal funds.

Deposit in the campaign bank account first.

7. Multiple contributions from one source?

Keep track of each check. Report the aggregate amount.

8. Report late contributions.

If \$1,000 or more from one contributor during the 16 days before the election, disclose within 24 hours - even if it's your own money. Fax or deliver personally.

9. Itemize contributors.

For contributions of \$100 or more, you must show the contributor's name, address, occupation and employer.

10. Report in-kind contributions of goods or services at fair market value.

11. If an agent buys campaign goods or services, disclose sub-vendors and amount they were paid.

12. Disclose original loan sources.

List any loan, even a personal loan to the candidate, all or partly used for the campaign.

13. Show who sent the mail.

The name and address of the candidate and/or committee must appear in at least six-point type on the outside of all mass mailings (more than 200 pieces).

14. No personal use of campaign funds.

Use campaign funds only for political, governmental or legislative purposes.

15. Learn more.

Got a question? Call or write your filing officer (the City Clerk) or the [FPPC](#).

Fair Political Practices Commission
1-(866) ASK-FPPC
1-(866) 275 -3772
www.fppc.ca.gov

FILING DEADLINES

NOMINATION PAPERS

| | | |
|--|------------------------|-----------|
| <i>Nomination Papers</i> | Friday, August 7, 2020 | 5:00 P.M. |
| <i>Ballot Designation Worksheet</i> | Friday, August 7, 2020 | 5:00 P.M. |
| <i>Candidate's Statement</i> | Friday, August 7, 2020 | 5:00 P.M. |
| <i>Code of Fair Campaign Practices</i> | Friday, August 7, 2020 | 5:00 P.M. |

FPPC FORMS

| | | |
|---|--|-----------|
| <i>FPPC Form 700</i> Statement of Economic Interests | Friday, August 7, 2020 | 5:00 P.M. |
| <i>FPPC Form 501</i> | Prior to soliciting or receiving contributions or expending personal funds. | |
| <i>FPPC Form 410</i> | Within 10 days of receiving \$1,000 or more in campaign contributions. | |
| <i>FPPC 1st Pre-election 460/470</i> | Due: September 24, 2020 Period Covered 7/1/20-9/19/20* | |
| <i>FPPC 2nd Pre-election 460</i> | Due: October 22, 2020 Period Covered 09/20/20-10/17/20 | |
| <i>FPPC Form 496/497</i> | Due: Within 24 hours of expending/receiving \$1000 during last 16 days before election | |
| Independent Expenditure / Contribution Report | Period Covered: 10/18/20-11/3/20 | |
| FPPC Semi-Annual 460 | Due: February 1, 2021 Period Covered: 10/18/20-12/31/20 | |

* The period covered by any statement begins on the day after the closing date of the previous statement filed, or January 1, if no previous statement has been filed.

All FPPC forms are available, upon request, at the City Clerk's office. Many forms are also available on the FPPC Internet webpages at: www.fppc.ca.gov. Refer to [*FPPC Campaign Disclosure Manual 2*](#) for more information.

The City Clerk serves only as a filing officer for FPPC forms. It is the responsibility of the candidate and the candidate's committee to ensure that the legal requirements of the Political Reform Act are being met. Violations of the Political Reform Act, including late filing of reports, can result in fines and possibly legal action. A \$10 per day late fee will be charged by the Filing Officer for delinquent filing of FPPC forms.

CANDIDATES FOR CITY OFFICES

“FREQUENTLY ASKED QUESTIONS”

1. IS THERE A FILING FEE INVOLVED IN MY CANDIDACY?

No. A filing fee for municipal office is at the discretion of the governing body. The Eureka City Council has not set a filing fee. However, there is a cost involved if you wish to have your *Candidate's Statement* printed in the voter information pamphlet. The fee at this time is \$480.00 and is payable at the time you file your *Nomination Papers*.

2. IS YOUR OFFICE OPEN DURING THE LUNCH HOUR?

No. Office hours are 8:00 A.M. to 12:00 noon, and 1:00 P.M. to 5:00 P.M., Monday through Friday, excluding holidays.

3. WHAT IF I CHANGE MY MIND ABOUT BEING A CANDIDATE AFTER FILING NOMINATION PAPERS?

You may withdraw as a candidate at any time prior to the close of the nomination period. You are not permitted to officially withdraw after that date, and your name will appear on the ballot.

4. WHAT HAPPENS IF SOME OF THE SIGNATURES I OBTAIN ON MY NOMINATION PAPERS FOR AN OFFICE ARE NOT REGISTERED VOTERS?

It is suggested that you file your *Nomination Papers* in advance of the deadline. The City Clerk will attempt to verify the signatures by the end of the next business day and certify as to their sufficiency. If for any reason your *Nomination Papers* contain less than twenty (20) valid signatures, it will be deemed insufficient and you will be notified immediately. If time allows, before the deadline, you may request to receive a Supplemental Nomination Paper to circulate and re-file.

5. WHAT IS THE SALARY FOR THE POSITIONS OF MAYOR AND CITY COUNCIL MEMBER?

The monthly salary of the Mayor is \$625 plus benefits. The monthly salary of a City Council Member is \$500 plus benefits.

6. IF I SUBMIT A VOLUNTARY CANDIDATE'S STATEMENT AND I CHANGE MY MIND, MAY I WITHDRAW THE STATEMENT?

Yes, the *Candidate's Statement* may be withdrawn but not changed, during the period for filing *Nomination Papers* and until 5:00 P.M. of the next working day after the close of the nomination period. [Calif. Elections Code § 13307(a)(3)].

CANDIDATES' FAQ's

7. MAY I CHANGE OR CORRECT THE WORDING/SPELLING ON MY CANDIDATE'S STATEMENT AFTER SUBMISSION?

No. Please check your *Candidate's Statement* carefully before submitting. Your *Candidate's Statement* will be printed exactly as submitted. You may, however, withdraw it up to 5:00 P.M. of the next working day after close of the nomination period.

8. MAY MY SPOUSE, FRIEND, OR CAMPAIGN MANAGER FILE MY NOMINATION DOCUMENTS, OR CAN I MAIL THEM TO YOU?

Election law does not specifically prohibit another person filing *Nomination Papers* for a candidate; however, the *Affidavit of Nominee and Oath of Affirmation of Allegiance* must be administered in person to the nominee by the City Clerk, Deputy City Clerk, or a Notary Public. The nominee is required to affirm by his or her signature in the *Affidavit of Nominee* he or she will accept the office in the event of his or her election. All forms must contain original signatures; therefore we cannot accept them by e-mail or fax.

9. HOW SOON WILL A LIST OF QUALIFIED CANDIDATES BE AVAILABLE AFTER THE CLOSE OF THE NOMINATION PERIOD?

A list of candidates will be prepared the next business day after the close of the nomination period. You may request a list to be mailed or faxed to you by calling the City Clerk's office at 441-4144. In the event that an eligible incumbent does not file *Nomination Papers* by the deadline, the deadline will be extended 5 days for that ward only for any eligible person except the incumbent.

10. WHO DECIDES WHERE MY NAME WILL APPEAR ON THE BALLOT?

The order of the names of candidates appearing on the ballot is a result of the randomized alphabet drawing conducted by the Secretary of State's Office.

11. HOW DO I LEARN MORE ABOUT THE GOVERNMENT WITHIN THE CITY OF EUREKA?

Included with this packet, is a Eureka Charter. The [Eureka Municipal Code \(EMC\)](#) is available for review at the City Clerk's office, the Humboldt County Library, and also on the Internet. The EMC can be accessed at <http://www.ci.eureka.ca.gov> Another good resource is the City Budget, which is available on the City's web site. For specific information relating to a particular department within city government and the way it operates, please call the City Clerk's Office at 441-4175, and a meeting with the appropriate person will be arranged for you.

CANDIDATES' FAQ's

12. ARE COUNCIL MEETING AGENDA PACKET MATERIALS AVAILABLE TO CANDIDATES?

Yes, Full packets of agenda and staff reports are published the Wednesday prior to the Council meeting. Full Agendas are available on the City's website at: www.ci.eureka.ca.gov through the "[Watch Meetings Now](#)" function.

13. IF ELECTED, HOW SOON WILL I TAKE OFFICE?

Elected officials take office at the earliest Council meeting after the election returns have been canvassed and the results declared by the City Council (usually the first meeting in December).

14. WHERE CAN I OBTAIN A LIST OF REGISTERED VOTERS?

A list of registered voters can be purchase from the [County Elections Office](#). Call 445-7678.

FEDERAL TAX FILINGS REQUIRED

Any campaign committee that anticipates gross receipts of \$25,000 or more in any taxable year must notify the Secretary of Treasury that it is a "Section 527 Organization" and file an initial statement (Form 8871) and annual tax returns (Form 1120-POL). The details are found in 26 U.S.C.A. Section 527. The reporting requirement was imposed by Subsection (i), which was enacted on July 1, 2000 and applies to tax years beginning after June 30, 2000.

The penalty for noncompliance is otherwise exempt income becomes taxable.